

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 2:05-cr-16

v.

HON. R ALLAN EDGAR

DARREL LEE BALE,

Defendant.

REPORT AND RECOMMENDATION

In accordance with the revocation hearing conducted before the undersigned on August 25, 2008, it is hereby recommended that the defendant's admission of guilt as to the violations set forth in the Petition for Warrant or Summons for Offender Under Supervision (docket #56) entered under date of June 25, 2008, be accepted.

It is further recommended that the following sentence be imposed: The defendant shall satisfactorily complete the substance abuse treatment program in which he is currently enrolled. Upon completion of that program, the defendant shall be placed on home detention for a period of six (6) months as arranged by his probation officer. During this time, the defendant shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. The defendant shall maintain a telephone at his place of residence without any call forwarding, Caller ID, call waiting, modems, answering machines, cordless telephones, or other special services for the above period. The defendant shall wear an electronic device, shall observe

the rules specified by the probation officer, and shall pay the costs of electronic monitoring in an amount to be determined by the probation officer.

It is further recommended that the defendant shall be placed on a term of twenty-four (24) months supervised release with the following conditions:

While on supervised release, the defendant shall comply with the mandatory and standard conditions of supervision including:

DNA testing

Drug testing

No firearms, destructive devices, or dangerous weapons.

In addition, the defendant shall comply with the following special conditions of supervision.

1. The defendant shall provide the probation officer with access to any requested financial information.
2. The defendant shall not incur new credit card charges or open additional lines of credit without the approval of the probation officer.
3. The defendant shall participate in a program of testing and treatment for substance abuse, as directed by the probation officer, until such time as the defendant is released from the program by the probation officer, and shall pay at least a portion of the cost according to his ability to pay as determined by the probation officer.
4. The defendant shall refrain from all use of alcoholic beverages.

5. The defendant shall participate in a program of mental health treatment and shall pay at least a portion of the cost according to his ability to pay as determined by the probation officer.
6. The defendant shall refrain from all use of controlled substances.
7. The defendant shall participate in a drug and alcohol abstinence program with a mentor/sponsor.
8. The defendant shall not associate with anyone using or possessing alcohol or controlled substances.
9. The defendant shall remain gainfully employed.
10. The defendant shall participate in education and/or vocational programming as directed by the probation officer.

Date: August 28, 2008

/s/ Timothy P. Greeley
TIMOTHY P. GREELEY
United States Magistrate Judge

NOTICE TO PARTIES

You have the right to de novo review of the foregoing findings by the district judge. Any application for review must be in writing, must specify the portions of the findings or proceedings objected to, and must be filed and served no later than ten days after the hearing. *See* W.D. MICH. L.CR.R. 11.1(d).